

## **EXHIBIT A**

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO (571-273-8300) on the date indicated below.

Name of Person Signing Certificate: Sandy Sutherland

February 21, 2006  
Date

*Sandy Sutherland*  
Signature

**MAIL STOP POST ISSUE****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Applicant:	§	Conf. No.:	6143
	§		
CHING-WU CHU	§		
	§		
Filed: March 26, 1987	§	Art Unit:	1751
	§		
Serial No.: 07/032,041	§	Examiner:	Mark Kopec
	§		
For: SUPERCONDUCTIVITY IN	§	Docket No.:	CIP-81297
SQUARE-PLANAR COMPOUND	§		
SYSTEMS	§	Customer No.:	01200

**INFORMATION DISCLOSURE STATEMENT SUBMITTED AFTER PAYMENT OF  
ISSUE FEE ON JANUARY 5, 2006**

The issue fee in this Application was paid January 5, 2006. Applicant and the University of Houston (collectively "Assignee") hereby disclose that in January 2006, but after payment of the issue fee, two individuals not named as inventors in this Application initiated a claim of inventorship regarding this patent application, as evidenced by the submitted communications. Assignee is diligently investigating this claim but, as of the date of this submission, Assignee has not completed its investigation.

Respectfully submitted,

*Lester L. Hewitt*

Date: February 21, 2006

Lester L. Hewitt, Reg. No. 25,685

AKIN GUMP STRAUSS HAUSER & FELD LLP  
1111 Louisiana, 44<sup>th</sup> floor  
Houston, Texas 77002  
Telephone: (713) 220-5851  
Facsimile: (713) 236-0822

PTO/SB/085 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	07/032,041
		Filing Date	March 26, 1987
		First Named Inventor	Ching-Wu Chu
		Art Unit	1751
		Examiner Name	Mark Ropec
Sheet 1 of 1	Attorney Docket Number	CIP-81297 H053451.000IUS	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Correspondence: 02/16/2006 from Lester L. Hewitt of Akin Gump Strauss Hauer & Feld LLP to Ru-Ling Meng, Ph.D of the University of Houston, 2 pages	
		Correspondence: 02/16/2006 from Lester L. Hewitt of Akin Gump Strauss Hauer & Feld LLP to Pei-Herng Hor, Ph.D of the University of Houston, 2 pages	
		Correspondence via email: 02/15/2006 from Prof. Ching-Wu Chu of the University of Houston to Lester L. Hewitt of Akin Gump, et al. enclosing email dated 2/15/2006 from Ruling Meng to Dr. Chu	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**AKIN GUMP  
STRAUSS HAUSER & FELD LLP****Attorneys at Law****LESTER L. HEWITT**  
713.220.5851/fax: 713.236.0822  
lhwitt@akingump.com

February 16, 2006

Ru-Ling Meng, Ph.D.  
University of Houston  
Texas Center for Superconductivity  
242 UH Science Center  
Houston, TX 77204-5002

HAND-DELIVERY/US MAIL

Dear Dr. Meng:

Thank you very much for taking the time to meet with me, Ms. Hamilton, Mr. Warren, and Ms. Goldman on Wednesday February 1, 2006. As you are aware, the law firm of Akin Gump Strauss Hauer & Feld is outside counsel for the University of Houston, and the University is therefore our client. Because Akin Gump and I represent the University, we cannot represent you or Pei-Hor.

The purpose of setting up our meeting of February 1, 2006, was to gain an initial understanding of your claim of inventorship of the Chu "YBCO" patent. (Serial No. 07/032,041). We requested that the meeting adjourn before the discussion became overly involved because, as attorneys for the University, we concluded that your claim of inventorship could be adverse to the University. As we stated at the conclusion of our meeting, we recommend that you immediately seek the advice of your own attorney. While you can retain any attorney you wish, as long as the attorney does not represent the University of Houston, we recommend that you engage an attorney who specializes in Intellectual Property Law (patent law) to fully advise you of your rights. A list of attorneys specializing in IP (patent) law is available through the Houston Lawyer Referral Service at 713.237.9429. Also, the website of the Houston Intellectual Property Law Association ("HIPLA") at [www.HIPLA.org](http://www.HIPLA.org) contains a list of attorneys who specialize in the inventorship issues of concern.

If you are considering proceeding with your claim of inventorship without an attorney, the University and the firm recommend that you at least consult an attorney to be certain you understand your rights before making that decision.

As you can understand, this is an important issue to the University as well as to you. Therefore, the University intends to make a fair and complete investigation of your claims, but neither the University nor its attorneys can represent your interests during this investigation. We do need to proceed diligently with this investigation. Therefore, we want to obtain from your attorney, if you wish to engage one, or you, any information you have that relates to your claim of inventorship. Please have your attorney contact me as soon as possible or, if you choose to

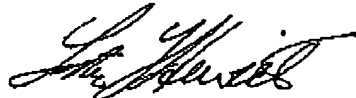
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AKIN GUMP  
STRAUSS HAUER & FELD LLP  
Attorneys at Law

Dr. Ru-Ling Meng  
February 16, 2006  
Page 2

pursue your claim without an attorney, please contact me directly so that the University can continue this investigation without unnecessary delay. Thank you.

Very truly yours,



Lester L. Hewitt

cc: Dona Hamilton, Vice President  
for Legal Affairs, UH General Counsel

John P. Warren, Jr., Associate Vice Chancellor  
for Intellectual Property Management  
Assistant General Counsel for Research  
and Intellectual Property Management

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**AKIN GUMP  
STRAUSS HAUER & FELD LLP**

Attorneys at Law

**LESTER L. HEWITT**  
713.220.5851/fax: 713.236.0822  
lhwitt@akingump.com

February 16, 2006

Pei-Herng Hor, Ph.D.  
University of Houston  
Texas Center for Superconductivity  
264 UH Science Center  
Houston, TX 77204-5002

HAND-DELIVERY/US MAIL

Dear Dr. Hor:

Thank you very much for taking the time to meet with me, Ms. Hamilton, Mr. Warren, and Ms. Goldman on Wednesday February 1, 2006. As you are aware, the law firm of Akin Gump Strauss Hauer & Feld is outside counsel for the University of Houston, and the University is therefore our client. Because Akin Gump and I represent the University, we cannot represent you or Pei-Hor.

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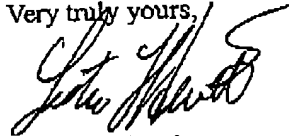
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AKIN GUMP  
STRAUSS HAUER & FELD LLP  
Attorneys at Law

Dr. Pei-Heng Hor  
February 16, 2006  
Page 2

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Very truly yours,



Lester L. Hewitt

cc: Dona Hamilton, Vice President  
for Legal Affairs, UH General Counsel

John P. Warren, Jr., Associate Vice Chancellor  
for Intellectual Property Management  
Assistant General Counsel for Research  
and Intellectual Property Management

053451.0001 WEST 5872810 v1

**Hewitt, Lester L.**

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From: Prof. Ching-Wu Chu [Ching-Wu.Chu@mail.uh.edu]  
Sent: Wednesday, February 15, 2006 9:53 PM  
To: Hewitt, Lester L.; dghamilton@uh.edu; jwarren@uh.edu; allan J. Jacobson  
Subject: Fwd: HTS patent

Hi - FYI. Paul

>Date: Wed, 15 Feb 2006 17:30:07 -0600  
>From: Ruling Meng <Ru-Ling.Meng@mail.uh.edu>  
>Subject: HTS patent  
>X-Sender: rmeng@mail.uh.edu  
>To: cwchu@uh.edu  
>X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
>X-PMX-Version: 4.7.1.128075, Antispam-Engine: 2.3.0.0,  
> Antispam-Data: 2006.02.15.150606  
>  
>  
>Dr. Chu,  
>  
>Three weeks ago Pei Hor and I found out that you are the only person as  
>inventor in the U.H HTS patent. We were shocked, disappointed and  
>angry. We think the invention should be our joint effort. Therefore we  
>went to talked to John P. Warren the Associate Vice Chancellor for  
>Intellectual property Management and let him know that we are fully  
>justified as this patent's inventors. We required and deserved fair  
>treatment. On feb. 9th Dr. Jacobson talked to me about this issue and  
>he said you said that Pei and I are not the same case and should be  
>treated differently. He said that you are willing and prepared to  
>compensate me as recognition for my contribution to the HTS invention.  
>He asked me to contact you.  
>  
>Regards,  
>  
>Ruling